

**PRIVATE HIRE VEHICLE LICENSING DEVIATION BY
MR I BAIRKDAR FROM VEHICLE LICENCE
CONDITION NUMBER 3.3b**

**REPORT BY: Head of Environmental Health and
Trading Standards**

Purpose

1. The report introduces an application made by Mr Bairkdar to deviate from the standard condition number 3.3b. This condition states: -

The replacement vehicle shall be no more than 2 years older than the outgoing vehicle, and have at least 30,000 less miles on the clock. All vehicles must be replaced at 8 years for non wheel chair and 15 years for wheel chair access vehicles.

Legal Background

2. Under the terms of the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976 local authorities may make reasonable conditions for the regulation of both hackney carriages and private hire vehicles, drivers and operators.
3. The standard licence conditions were approved at Regulatory Committee on the 18th December 2007.

Issues

4. Mr Bairkdar made an application to licence a vehicle with N1 on plate number P406 at the last committee, that matter is still being considered by the Authorities Legal advisors.
5. In the meantime Mr Bairkdar has sourced another vehicle which has M1 on the registration document, but it has higher mileage than the outgoing vehicle. He would like this vehicle to be plated on P406.
6. The mileage on the proposed new vehicle is 262,898 and the outgoing vehicle had 189,707.

Condition 3.2 states :- Written authorisation must be obtained before any new/replacement new vehicle is purchased and tested. The test will not be carried out until this is handed to the test centre.

7. No request was received for written authorisation for this vehicle.

Options

It is for the Regulatory Committee to decide whether the vehicle licence: -

- Can be granted outside of the standard conditions and or policy.
- Cannot be granted and the licence be refused.
- Deferred decision in order to get more information.
- or reach some other decision.

Appendix 1 – standard vehicle licence conditions – see Agenda item 8